

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET											
CR No: 15-2855 JH				USA vs.: Vigil							
Date: May 12, 2016				Name of Deft: Shane Lewis Vigil							
Before the Honorable: Judith C. Herrera											
Time In/Out:		9:32 a.m. – 10:15 a.m.			Total Time in Court (for JS10):			43 minutes			
Clerk:		I.Duran			Court Reporter:			P.Baca			
AUSA:		Raquel Ruiz-Velez & Kyle Nayback			Defendant's Counsel:			Alonzo Padilla			
Sentencing in:		Albuquerque, NM			Interpreter:			None			
Probation Officer:		Mindy Pirkovic			Interpreter Sworn?			<input type="checkbox"/> Yes		<input type="checkbox"/> No	
Convicted on:		<input checked="" type="checkbox"/> Plea	<input type="checkbox"/> Verdict	As to:		<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Indictment				
If Plea:		<input checked="" type="checkbox"/> Accepted	<input type="checkbox"/> Not Accepted	Adjudged/Found Guilty on Counts: 1, 2, 3							
If Plea Agreement:		<input checked="" type="checkbox"/> Accepted	<input type="checkbox"/> Not Accepted	<input type="checkbox"/> No Plea Agreement		Comments:					
Date of Plea/Verdict:		1/6/16		PSR:	<input checked="" type="checkbox"/> Not Disputed	<input type="checkbox"/> Disputed	<input checked="" type="checkbox"/> Courts adopts PSR Findings				
Evidentiary Hrg:		<input checked="" type="checkbox"/> Not Needed	<input type="checkbox"/> Needed	Exceptions to PSR:							
SENTENCE IMPOSED				Imprisonment (BOP):		71 months as to each count; said terms to run concurrently for a total of 71 months					
Supervised Release:		3 years as to each count; said terms to run concurrently					Probation:				
REC	500-Hour Drug Program		BOP Sex Offender Program		Other:						
ICE	Court recommends ICE begin removal proceedings immediately or during service of sentence							ICE not applicable			
SPECIAL CONDITIONS OF SUPERVISION											
<input type="checkbox"/> No re-entry without legal authorization				<input type="checkbox"/> Home confinement for _____ months _____ days							
<input type="checkbox"/> Comply with ICE laws and regulation				<input type="checkbox"/> Community service for _____ months _____ days							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Participate in/successfully complete subst abuse program/testing.			<input checked="" type="checkbox"/> Reside Residential Reentry Center for up to 6 months							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Participate in/successfully complete mental health program			<input type="checkbox"/> Register as sex offender							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Refrain from use/possession of alcohol/intoxicants			<input type="checkbox"/> Participate in sex offender treatment program							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Submit to search of person/property/auto			<input type="checkbox"/> Possess no sexual material							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> No contact with victims			<input type="checkbox"/> No computer with access to online services							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> No entering or loitering near victim's residence, employment, etc			<input type="checkbox"/> No contact with children under 18 years							
<input type="checkbox"/> Provide financial information				<input type="checkbox"/> No volunteering where children supervised							
<input type="checkbox"/> Grant limited waiver of confidentiality				<input type="checkbox"/> Restricted from occupation with access to children							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Refrain from use and possession of synthetic cannabinoids, etc.			<input type="checkbox"/> No loitering within 100 feet of school yards							
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> No possession of a firearm, ammunition, destructive device or any other dangerous weapon			<input checked="" type="checkbox"/> Participate in an educational or vocational program approved by the Probation Officer							
<input checked="" type="checkbox"/>	Standard & Mandatory Conditions: Deft must cooperate in the collection of DNA; deft must participate in approved program for domestic violence prevention.										
Fine: \$		0.00			Restitution: \$			Not yet determined (See J&C for details)			
SPA: \$		300.00 (\$100 for each count)			Payment Schedule:		<input checked="" type="checkbox"/>	Due Immediately		<input type="checkbox"/> Waived	
OTHER:											
<input type="checkbox"/> Advised of Right to Appeal		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> Waived Appeal Rights per Plea Agreement							
<input checked="" type="checkbox"/> Held in Custody		<input type="checkbox"/>		<input type="checkbox"/> Voluntary Surrender							
<input checked="" type="checkbox"/>		Recommended place(s) of incarceration:			FCI, Florence, CO to be close to family & recommends that he be allowed to complete his H.S. diploma at the Sandoval County Detention Ctr.						
<input type="checkbox"/>		Dismissed Counts:									
OTHER COMMENTS: Defense counsel has no objections to PSR. Ct. notes all documents have been reviewed. Ct. makes inquiry. Govt. makes argument as to why the plea agreement should be accepted & requests a sentence											

at the high end of the guideline. Defense counsel makes argument & requests acceptance of the plea agreement & a sentence that is reasonable. Deft addresses the Court. Govt. responds & requests a sentence of 71 months & 3 years supervision & states that the victim's mother Letitia Cochran wishes to address the Court. Defense has no objection to a sentence of 71 months & 6 months to a reentry center. Victim's mother addresses the Court. Govt. requests leave to keep restitution open for 90 days. Defense has no objection. Ct. makes findings & accepts plea agreement. Ct. has reviewed the PSR factual findings & has considered the sentencing guidelines & the 3553 factors & imposes sentence. Defense counsel requests designation at FCI, Florence, CO to be close to family & requests that deft be allowed to complete his high school diploma at Sandoval County Detention Ctr..